

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Criminal Action No.
	)	13-00031-01/02-CR-W-FJG
TYWAN A. POOLE and	)	
LARISHA GRANT,	)	
	)	
Defendants.	)	

**MEMORANDUM OF MATTERS DISCUSSED AND  
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on August 4, 2014. Defendant Tywan Poole appeared in person and with appointed counsel Laine Cardarella. Defendant Larisha Grant appeared in person and with appointed counsel Kenton Hall. The United States of America appeared by Assistant United States Attorney Bill Meiners.

***I. BACKGROUND***

On February 1, 2013, an Indictment was returned in this case. Count One charges Defendants Tywan Poole and Larisha Grant with conspiracy to distribute PCP. Defendant Poole is charged in Count Two (possession with the intent to distribute a detectable amount of PCP); Counts Three, Five, Eight and Twelve (possession of a firearm in furtherance of a drug trafficking crime); and Counts Four, Seven, Ten and Eleven (possession with the

intent to distribute 10 grams or more of PCP). Defendant Grant is charged in Counts Six and Nine (distribution of a detectable amount of PCP).

The following matters were discussed and action taken during the pretrial conference:

## ***II. TRIAL COUNSEL***

Mr. Meiners announced that he and Lauren White will be the trial counsel for the government. The case agent to be seated at counsel table is Mario Florido, Kansas City, Missouri Police Department.

Ms. Cardarella announced that she will be the trial counsel for Defendant Poole.

Mr. Hall announced that he will be the trial counsel for Defendant Grant.

## ***III. OUTSTANDING MOTIONS***

Defendant Poole's motions to suppress (Doc. Nos. 40, 41) remain pending; a Report and Recommendation was filed on August 1, 2014 (Doc. No. 112).

## ***IV. TRIAL WITNESSES***

Mr. Meiners announced that the government intends to call 17 witnesses without stipulations or 12 witnesses with stipulations during the trial.

Ms. Cardarella announced that Defendant Poole intends to call 10 witnesses during the trial. Defendant Poole may testify.

Mr. Hall announced that Defendant Grant intends to call 2-3 witnesses during the trial. Defendant Grant may testify.

***V. TRIAL EXHIBITS***

Mr. Meiners announced that the government will offer approximately 100 exhibits in evidence during the trial.

Ms. Cardarella announced that Defendant Poole will offer approximately 10-15 exhibits in evidence during the trial.

Mr. Hall announced that Defendant Grant will not offer any exhibits in evidence during the trial.

***VI. DEFENSES***

Ms. Cardarella announced that Defendant Poole will rely on the defense of general denial.

Mr. Hall announced that Defendant Grant will rely on the defense of general denial.

***VII. POSSIBLE DISPOSITION***

Ms. Cardarella stated this case is definitely for trial.

Mr. Hall stated this case is probably not for trial.

***VIII. STIPULATIONS***

Stipulations are likely as to chain of custody, chemist's reports and firearm testing.

***IX. TRIAL TIME***

Counsel were in agreement that this case will take 4 days to try.

***X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS***

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed April 15, 2013, counsel for each party file and serve a list of exhibits he/she intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by August 4, 2014;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, August 13, 2014;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions<sup>1</sup> by or before noon, Wednesday, August 13, 2014. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

***XI. UNUSUAL QUESTIONS OF LAW***

No motions in limine are anticipated. There are no unusual questions of law.

***XII. TRIAL SETTING***

All counsel and the defendants were informed that this case will be listed for trial on August 18, 2014. The parties request the second week of the docket due to scheduling problems.

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<sup>1</sup>Counsel in all cases assigned to be tried before Judge Fernando Gaitan, Jr., as reflected in the trial letter, shall meet and prepare a packet of agreed proposed jury instructions to be submitted to Judge Gaitan and e-mailed to marylynn\_shawver@mow.uscourts.gov and rhonda\_enss@mow.uscourts.gov by August 15, 2014. To the extent there are disagreements to certain instructions, each attorney shall tab and submit his or her preference on those instructions. The instructions shall be listed in the order they are to be given.

/s/ Robert E. Larsen

ROBERT E. LARSEN  
United States Magistrate Judge

Kansas City, Missouri  
August 4, 2014

cc: Mr. Kevin Lyon